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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09       UNITED STATES OF AMERICA,                   )   CASE NO. MJ 09-196  
10    )  
11       Plaintiff,                                      )  
12    )  
13       v.    )  
14       VICTOR BETANCOURT-GONZALEZ,                )  
15    )  
16       Defendant.                                     )  
17    )  
18    )  
19    )  
20    )  
21    )  
22    )

14       Offense charged:

15                   Conspiracy to Distribute Methamphetamine; Possession with Intent to Distribute  
16                   Methamphetamine

17       Date of Detention Hearing: May 5, 2009

18                   The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
19                   based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
20                   that no condition or combination of conditions which defendant can meet will reasonably assure  
21                   the appearance of defendant as required and the safety of other persons and the community.

22       ///

01           FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02           (1)     Defendant is reportedly a citizen of Mexico.

03           (2)     The United States alleges that his presence in this country is illegal. There is an  
04 immigration detainer pending against him. The issue of detention in this case is therefore  
05 essentially moot, as the defendant would be released to immigration custody if not detained in  
06 this case.

07           (3)     Defendant and his counsel offer no opposition to the entry of an order of detention.

08           (4)     Upon advice of counsel, defendant declined to be interviewed by Pretrial Services.

09 Therefore, there is limited information available about him.

10           (5)     There does not appear to be any condition or combination of conditions that will  
11 reasonably assure the defendant's appearance at future Court hearings while addressing the  
12 danger to other persons or the community.

13 It is therefore ORDERED:

14           (1)     Defendant shall be detained pending trial and committed to the custody of the  
15                 Attorney General for confinement in a correction facility separate, to the extent  
16                 practicable, from persons awaiting or serving sentences or being held in custody  
17                 pending appeal;

18           (2)     Defendant shall be afforded reasonable opportunity for private consultation with  
19                 counsel;

20           (3)     On order of a court of the United States or on request of an attorney for the  
21                 Government, the person in charge of the corrections facility in which defendant  
22                 is confined shall deliver the defendant to a United States Marshal for the purpose

of an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 5th day of May, 2009.

Mary Alice Theiler  
Mary Alice Theiler  
United States Magistrate Judge